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a dainty wreath of slender bleached bones, chiefly from fishes. The spot chosen for the eggs was about two-hundred yards from the surf, on the level beach sand, near the center of the broad opening of one of the gullies in the sand-dunes. There was no distinguishing mark or object near the eggs, and nothing in the slightest to protect the set from destruction. The Plover was sitting on the nest when it was found and betrayed its presence by gliding off on the close approach of Mr. Jackson. She remained at a distance while we were in the neighborhood, but several hours later while in the vicinity I found a bird sitting on the empty nest. She ran off on our approach.

About twenty-five yards from this set we found two eggs, several feet apart and on an open flat stretch of sand a little nearer the breakers. I concluded that the wind had blown apart the eggs of an incomplete set.

Two more Snowy Plovers were found in this neighborhood, but I was unable to locate their nests or young; but late that afternoon while crossing the sand dunes I stirred up another bird. We had run across a hillock of chips of broken flint, intermixed with shells and a few bones; evidently an Indian mound. While examining this interesting spot I noticed a Plover feigning a broken wing. She would run to within eight or ten yards of me and dropping on one side, would hold the wing of the other up above her back, and crying piteously, would drag herself away. I sat down to await results and after a few minutes she stopped, panting violently, and apparently seriously wounded. Finding that I made no move she tried again and again, until she started within ten feet of me in her endeavor to attract attention and pursuit. But as night was rapidly approaching, and we were twenty miles from camp, I could not stop long enough to work out the object of her solicitude, but for the twenty minutes we were in the neighborhood her efforts to decoy

us were unceasing.

I was especially interested in this incident. Without doubt the bird had either eggs or young in that immediate vicinity; yet that Indian mound was at least a quarter of a mile from the beach—several large hills of drifting sand intervening. Is it the habit of these plovers to nest so far from the surf?

Leaving this anxious bird, we pushed on to the beach, striking it some distance below the buggy. Before we had fairly reached the sands, Jackson called me to his side and pointed to the sand at his feet. There stretched out as if dead but with bright open eyes, lay a plover, even smaller than the first. It had sought no shelter but was trying to conceal its presence by stillness, even on the open sand, for there was no sheltering object near. We approached closer and closer until I could have touched the bird with my hand, but no movement on its part evinced life; so we left it, and were soon on the homeward road.

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#### An Additional Specimen of *Nyctale* From Lake Tahoe.

THE young male mentioned in "Land Birds of the Pacific District" was captured in a dwelling on the evening of Sept. 21, 1899 at Tahoe City, where it may have been reared, as I had been told of small owls that came about the dwelling at night. My second specimen was taken in a dense alder thicket near McKinney's August 23, 1901. It was a young female; I shot it about 10 o'clock in the morning. Its stomach was full of fur and the bones of a small animal.

Possibly both individuals were migrants from the north, but I have long supposed that this owl was a summer resident of the east slope of the Sierras, though I have never heard one and have gone many times to what I thought were favorable parts of the for-

est in the Sierras with a hope of hearing it. Mr. Osgood in *North American Fauna No. 21* describes *Nyctala acadica scotaea* from Queen Charlotte Islands, which is probably quite, if not entirely, identical with specimens that have been taken in California, and also including Lichenstein's *Strix frontalis* which is grouped in Vol. 9 of *Pac. R. R. Reports* with *Nyctale albifrons*.

I hope *Nyctala* will be retained for the generic name of these owls and think no great violence will be done our code of nomenclature by retaining it. Dr. Coues somewhere suggested a statute of limitations whereby a name that had been in use about fifty years should continue in use,—a wise suggestion I think. *Nyctale* and *Nyctala* have done good service about that long; it seems to me that our greatest present want is stability of ornithological nomenclature.

L. BELDING.

*Stockton, Cal.*

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### ***Mniotilla varia* Recorded Again in California**

**A**S the result of an outing at Pacific Grove, Cal. I am enabled to again record the Black-and-White Warbler for California the specimen being a male in fall plumage. On Sept. 8, 1901 while driving out to Point Lobos, Monterey Co., at the Carmel River crossing my attention was attracted to a chickadee which I thought seemed to be chasing a chickadee of larger size. On collecting the bird I found it to be a Black-and-White Warbler (*Mniotilla varia*); making the third recorded specimen for California. The two skins I have taken measure as follows: No. 784, Coll. W. O. E.; wing, 2.11; tail, 2.00 inches, Farallone Island, May 28, 1887; No. 3047, Coll. W. O. E., wing, 2.10; tail, 1.14 inches, Monterey Co., Cal. Sept. 8, 1901.

There seems to be no perceptible difference between these specimens and those from the Atlantic Coast. An immature female is recorded in "Birds of

the Pacific Slope of Los Angeles Co., Cal." by Grinnell, the specimen having been taken by H. A. Gaylord on Oct. 2, 1895 in Arroyo Seco near Pasadena, Cal.

W. OTTO EMERSON.

*Haywards, Cal.*, Oct. 30, 1901.

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### **The American Redstart in Oregon.**

While looking over the University of California collection of skins at Berkeley the past month for some records of the old Dr. Cooper collection, I noted a female American Redstart (*Setophaga ruticilla*) labelled "John Day River, Oregon, July 1, 1899," collected by Loye Miller, catalogue number 130. While being an Oregon take I consider it worthy of recording, as the date being late would indicate a nesting bird, and it may be found by some of the field-workers later on as occurring sparingly on the Pacific Slope, it being a summer resident of British Columbia.

W. OTTO EMERSON.

*Haywards, Cal.*, Nov. 2, 1901.

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### **Warbler Notes from Los Angeles, Cal.**

*Dendroica maculosa*. On October 5, 1901 while watching a flock of about a dozen Lutescent and Pileolated warblers feeding in some willows, I saw among them what I took to be an immature Calaveras Warbler. I shot at and secured it and on picking the bird up was agreeably surprised at finding it to be a female Magnolia Warbler. I believe this is only the second thus far taken in this county. On Oct. 21, 1897 I secured one, also a female, (recorded in Grinnell's "List of Birds of the Pacific Slope of Los Angeles Co.") about a quarter of a mile from where I took this bird.

*Helminthophila celata*. For about six weeks, commencing with Sept. 1, Lutescent Warblers were quite abundant in the vicinity of Los Angeles. I carefully scrutinized the various flocks I saw in the hope of finding some Orange-crowned Warblers, and was rewarded by securing two specimens, a